

## REMARKS/ARGUMENTS

Claims 1-21 are pending in the application of which claims 1, 11 and 17 are in independent format. Claims 1, 4, 7, 9-11, 13 and 17-19 are amended in this response while claims 2, 3, 5, 6, 8, 12, 14 and 15 are cancelled in this response. No new claims have been added. The Specification has been amended for cosmetic reasons.

### **Rejection Under 35 U.S.C. 102(b)**

The Examiner rejected claims 1-21 under 35 U.S.C. 102(b) as being allegedly anticipated by *Sutton* (U.S. Patent No. 4,718,827) (hereinafter "the *Sutton* reference").

A prima facie case of anticipation is established when the Examiner provides a single reference that teaches or enables each of the claimed elements (arranged as in the claim) expressly or inherently as interpreted by one of ordinary skill in the art. In the present application, the Applicants submit that a prima facie case of anticipation has not been established. Applicants submit that the independent claims as presented and the respective dependent claims particularly point out and distinctly claim the invention, and that the invention is neither taught nor suggested nor made obvious by the cited reference.

The inventors respectfully submit that the *Sutton* reference does not teach or enable a spring pin having hollow cylindrical shape with a longitudinal slot extending the length of the pin as recited by claims 7, 16 and 17. (*See also*: Figs. 4A-4D of the present application). Additionally, the *Sutton* reference does not teach or enable the pin being substantially encapsulated within a circular sidewall of a channel of the port plate as recited by claims 1, 11, 18 and 19. (*See also*: Figs. 3A-3B of the present application).

The inventors have devised extremely successful pins for aligning and holding components of pump stages together and for preventing cracking of pump components to prevent failure of the pump. The spring pins are slightly compressed when they are installed in the port plate of the pump. During the

final stages of pump assembly, when the outer shell of pump is fitted into place, the expansion force exerted by the spring pins against the circular sidewalls of channels and the slip fit of the pins with the recesses hold the components tightly together so to retain the proper alignment between the pump inlet, the first and second pump stages, and the pump outlet. Because the channels and recesses partially enclose and encapsulate the spring pins, forces which otherwise could damage the end cap and port plates are readily distributed through these parts and not concentrated about the channels where damage could occur.

The *Sutton* reference teaches spring clips 154 with rolled over ends 158 having inwardly facing foots 160. (See: Column 5, lines 6-10 and Figs. 1 and 2). One side of the spring clip 154 is received within a groove wherein the rolled over ends 158 resiliently engage with end surfaces 108 and 132. (See: Column 5, lines 10-22 and Fig. 1). The spring clips of the *Sutton* reference are silent with respect to the spring pin having hollow cylindrical body with the longitudinal slot extending the length of the pin and with respect to being substantially encapsulated within a circular sidewall of a channel of the port plate. With spring clips, alignment of the components is inconsistent and results in low fuel flow through the pump and/or high amperage failure. (See: Specification p. 3, lines 7-9).

Dependent claims, by their nature, include all of the limitations of the parent independent claim and any intervening claims from which they depend. Claims 4, 7, 9, 10, 13, and 18-21 depend directly or indirectly from independent claims 1, 11 and 17 respectively, and accordingly, are believed allowable under 35 U.S.C. § 102 (b) over the *Sutton* reference, for at least the same reasons as independent claims 1, 11 and 17.

For these reasons, the claims as amended and presented are believed to distinguish structurally from the art of record. Accordingly, entrance of this amendment, reexamination of claims, and passage of the case to issue are respectfully requested.

Respectfully Submitted:

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